

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

UNITED STATES OF AMERICA

vs.

JOSEPH COREY BAILEY, JR.
XAVIER KASEEM CAPERS

CR. NO.:

9-22-253

18 U.S.C. § 2

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(A)

21 U.S.C. § 846

21 U.S.C. § 853

21 U.S.C. § 881

28 U.S.C. § 2461(c)

RECEIVED

MAR 23 2022

FLORENCE, S.C.

SEALED INDICTMENT

COUNT 1

(Drug Distribution Conspiracy)

THE GRAND JURY CHARGES:

That beginning at a time unknown to the grand jury, but beginning at least in or around March 6, 2021, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants, **JOSEPH COREY BAILEY, JR.** and **XAVIER KASEEM CAPERS**, knowingly and intentionally did combine, conspire, agree and have tacit understanding with each other and with others, both known and unknown to the grand jury, to knowingly, intentionally, and unlawfully possess with intent to distribute and distribute methamphetamine, a Schedule II controlled substance.

- a. With respect to **JOSEPH COREY BAILEY, JR.**, the amount involved in the conspiracy attributable to him as a result of his own conduct and the conduct of other conspirators reasonably foreseeable to him is 50 grams or more of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); and

- b. With respect to **XAVIER KASEEM CAPERS**, the amount involved in the conspiracy attributable to him as a result of his own conduct and the conduct of other conspirators reasonably foreseeable to him is 50 grams or more of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);

All in violation of Title 21, United States Code, Section 846.

COUNT 2

(Possession with Intent to Distribute 50 grams or more of Methamphetamine)

THE GRAND JURY FURTHER CHARGES:

That on or about March 6, 2021, in the District of South Carolina, the Defendants, **JOSEPH COREY BAILEY, JR.** and **XAVIER KASEEM CAPERS**, knowingly, intentionally, and unlawfully did possess with intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance, and did aid and abet each other in the aforesaid offense;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

FORFEITURE

DRUG OFFENSES:

Upon conviction for felony violations of Title 21, United States Code, as charged in this Indictment, the Defendants, **JOSEPH COREY BAILEY, JR.** and **XAVIER KASEEM CAPERS**, shall forfeit to the United States all of the Defendants' right, title, and interest in any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;

PROPERTY:

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for offenses charged in this Indictment includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all property the Defendants obtained as a result of the drug offenses charged in the Indictment, and all interest and proceeds traceable thereto, as a result of violating 21 U.S.C. §§ 841 and 846.

SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A TRUE BILL


FOREPERSON

COREY F. ELLIS
UNITED STATES ATTORNEY

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